IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.19565-M of 2007
Date of Decision:- 18.05.2007

Sudesh Kumar ....Petitioner(s)

through
Mr.Sunil Chadha, Advocate

vs.

State of Punjab ....Respondent(s)

through
Mr.Rajesh Bhardwaj, DAG, Punjab.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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1.Whether Reporters of the local papers may be allowed to see the judgment?
2.To be referred to the Reporters or not?
3.Whether the judgment should be reported in the Digest?

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SURYA KANT, J. (ORAL)

The prayer in this petition is to release the petitioner on regular bail in case F.I.R.No.37 dated 30.9.2002 under Sections 405, 406, 420, 120-B IPC read with Section 7 of the Essential Commodities Act registered at Police Station City Kapurthala.

Briefly stated the allegations are that the petitioner-firm, namely, M/s. Kapurthala Rice Mills was entrusted with paddy by the Punjab Agro Industries Corporation Limited, namely, the complainant-Corporation for milling purposes. The petitioner firm is alleged to have mis-appropriated a huge quantity of the said paddy as neither the milled rice nor the said paddy was returned. The petitioner firm is, thus, alleged to have caused mis-appropriation of the paddy/rice worth more than Rs.1 crore.

It is, however, not disputed by learned State counsel that the

investigation is over and challan has already been presented.

Since the trial proceedings are yet to formally commence, the conclusion thereof will take considerably long period.

After hearing learned counsel for the parties and having regard to the nature of offence attributed to the petitioner but without expressing any views on the merits of the case lest it should prejudice either of the parties, this petition is allowed. The petitioner is directed to be released on bail to the satisfaction of the Chief Judicial Magistrate, Kapurthala.

May 18, 2007 **(SURYA KANT)**
poonam **JUDGE**